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PART II.

JUDICIAL DEPARTMENT.

IN THE CHIEF COURT OF MYSORE.

CIVIL SIDE.

Notification dated 9th June 1913.

In exercise of the powers conferred by the Guardian and Wards Regulation, V of 1911, the Chief Court of Mysore has made the following rules, which shall come into effect from the 1st day of July 1913:—

1. In uncontested proceedings under Regulation V of 1911 (The Guardian and Wards Regulation), it shall be competent to the Court or Judge exercising jurisdiction therein to permit or direct, except when otherwise provided by any law or rule for the time being in force, that any particular fact or facts may be proved, or evidence upon any application may be given, by affidavit.

2. When the Court does not allow out of the estate the costs of an application made by the Deputy Commissioner of the District under Section 7 of the Regulation, the Court shall record the special circumstances in consequence of which it has not allowed such costs out of the estate.

Whenever the petition made under Section 9 of the Regulation states that the property of the minor consists of land or any interest in land, a copy of the petition shall be sent free of charge to the Deputy Commissioner of the District in which such property or any part of it is situate.

3. The following form shall be used for appointments or declarations of guardianship for property made under Section 6 of the Regulation in cases in which a person other than the Deputy Commissioner or a guardian appointed by will or other instrument is appointed to be the guardian of the property of a ward.

Form of appointment under Section 6 of Regulation No. V of 1911.

Whereas this Court has, under the provisions of Section 6 of Regulation V of 1911, been pleased to appoint you A. B. (or to declare you A. B. to be), guardian of (the property or the person and property) of C. D., during the period of his minority, to wit, till the day of the month of 19 subject to the provisions contained in the Regulation and particularly those provisions contained in Sections 31, 38 and 39 of the Regulation aforesaid, you are hereby authorised to take charge of the property of the minor in trust, to col-

lect and pay all just debts, claims and liabilities due to or by the estate of the minor, to institute or defend suits connected with that estate, and generally to do and perform all acts which may be necessary to the due discharge of the trust vested in you, provided always that you shall not mortgage, or charge or transfer by sale, gift, exchange or otherwise, any part of the immoveable property of your ward, or lease any part of that property for a term exceeding five years or for any term extending more than one year beyond the date on which your ward will cease to be a minor, without the express sanction of this Court previously obtained; and that you shall keep regular accounts of your receipts and disbursements, with all vouchers and other documents necessary to establish their correctness.

4. The following form shall be used for the personal and security bonds, required from a guardian under Section 33 (a) of the Regulation.

Bond from appointed guardian
(Section 33 (a) of the
Guardian and Wards
Regulation, 1911)
Form No. 79 (Civil).

- (1) Name of guardian.
(2) Son or daughter as the case
may be.
(3) Name of District Judge.
(4) Do
(5) and (6) Names of sureties.
(7) Name of the District Judge.

(3) Name of the District Judge.

(9) Name of guardian.

(10) and (11) Names of sureties.

Know all men by these presents that I (1).....
(2)..... of..... of.....
am held and firmly bound to (3).....
..... the District Judge of.....
in the sum of Rs....., to be paid to the said
(4)..... or to his successors in office,
and we (5)....., son
of....., and (6).....
son of....., of.....
are jointly and severally held and firmly bound to the said
(7)..... in the sum of
Rs....., to be paid to the said
(8)..... or to his successors in
office, for the payment of which the said sum of Rs.....
to be faithfully and truly made, I, the above bounden
(9)....., bind myself, my heirs,
executors, administrators, and representatives, and for the
payment of the said sum of Rs....., we the above
bounden (10)....., and (11).....
....., bind ourselves, and each of us
jointly and severally, and our and each of our heirs, execu-
tors, administrators, and representatives firmly by these
presents. Signed by ourselves and sealed with our respec-
tive seals this..... day of..... 19

Whereas by an order of the Court of the District
Judge of..... made on the day of.....
..... under section of the
Guardian and Wards Regulation (..... of 1911) the
above named (1)..... has
subject to his entering into a bond in Rs.....
as the case with (2)..... sureties in
the same sum (or sum of Rs..... as the case
may be), been appointed guardian of the property, moveable
and immoveable of (3).....
....., minor son of.....
And whereas the said (4).....
has agreed to enter into the above written bond and
the said (5).....
and (6)..... have agreed to enter
into the above written bond as sureties for the said
(7)..... Now the condition
of the above written bond is such that if the said
(8)..... do and shall justly
and truly account whenever called upon to do so, for
what he may receive in respect of the property of the said
(9)..... and do and
shall carefully observe, perform and keep all orders and
directions of the said Court of the District Judge of
..... touching or concerning the
estate and effects of the said minor and his property and

(1) Name of guardian.

(2) Number of sureties.

(3) Name of the minor.

(4) Name of guardian.

(5) and (6) Names of sureties.

(7) Name of guardian.

(8) Name of guardian.

(9) Name of minor.

(10) Name of guardian.

touching and concerning all such monies and estates as he, the said (10) shall receive as such guardian as aforesaid and in all things conduct himself properly, then the above written bond or obligation shall be void and of no effect, otherwise the same shall remain in full force and virtue.

(11) Names of guardian and sureties.

Signed and sealed by the above

named (11)

.....in the presence

of.....

Seal

Seal

Seal

CIVIL SIDE.

*Addendum dated 9th June 1913 to Rule of Practice No. 149,
dated 10th July 1911.*

The Chief Court directs that the following paragraph be added, after para 27 of the said Rule of Practice.

27A "The old registers of each Court relating to cash, suits and cases except those which are required for reference, shall be sent to the Central Record Room of the respective divisions for being dealt with under the rules. A register should be kept in the Central Record Room and the following entries made therein:—

- (1) Name of the Court to which the registers belong; (2) Number of volumes;
- (3) Kind of registers; (4) Year to which they relate; (5) When liable to be destroyed; and (6) Date of destruction and the signature of the Record-keeper."

Notification dated 13th June 1913.

The following Rule has been framed by the Chief Court under the Succession Certificate Regulation, VII of 1901:—

Under Section 7, clause 1 (b), Succession Certificate Regulation, VII of 1901, notice of application for grant of a certificate shall be given:—

- (1) by posting a proclamation on the notice board of the Court;
- (2) by posting a duplicate thereof on the house of the deceased;
- (3) by beat of drum in the mohalla of the town or in the village in which the deceased last resided.

The sum of two annas in cash shall be tendered with every such application to cover the expense of proclaiming the notice by beat of drum.

V. A. RAJARATNA MUDALIAR,
Registrar.